

## **Minutes of Special and Regular Meeting of June 23, 2009**

### **SPECIAL MEETINGS**

#### **CLOSED SESSION - 6:00 P.M.**

- A. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation, Belmont v. Schwartze
- B. Conference with Real Property Negotiator Crist pursuant to Government Code Section 54956.8: Two Parcels, 045-162-080 and 045-162-090

Attended by Councilmembers Feierbach, Wozniak, Dickenson, Lieberman, Braunstein, City Manager Crist, City Attorney Zafferano, Finance Director Fil. City Clerk Cook was excused from attending.

**ADJOURNMENT** at this time, being 6:25 P.M.

**Terri**

**Cook**

**City Clerk**

This meeting was not tape recorded or videotaped.

#### **STUDY SESSION - 6:30 P.M.**

##### **Review of the 2007-2014 General Plan Housing Element**

Community Development Director de Melo stated that the City Council initially addressed this topic at its April 28<sup>th</sup> meeting. The Planning Commission recently reviewed and commented on the draft Housing Element.

**Leslie Gould**, Consultant, stated that the Housing Element is required to be submitted to the State of California. The focus needs to be on proposed programs. She reviewed the housing needs assessment that was performed, and she outlined the existing constraints to the ability to develop housing. She noted that the requirement for the City of Belmont is to provide 367 additional units through 2014. She clarified that there is no need to build the units, but to demonstrate that viable sites exist for housing. She stated that there are many opportunities for multi-unit housing.

In response to Council questions, Ms. Gould explained that since Notre Dame de Namur University has no plans to build any new student housing over the next seven years, they cannot be included in this Housing Element. She clarified that their future plans will be mentioned within the document. She explained that no exact count of senior congregate care units exists, and no special programs are specifically targeted for this Housing Element.

Ms. Gould reviewed potential housing sites by category of housing. She outlined the accomplishments made from 2001 through 2006, and noted that the goal was met for that timeframe. Redevelopment Agency monies are available for housing projects. She reviewed the goals and continuing programs contained in the housing plan. There may be a desire to revise the home rehabilitation program to increase participation.

Ms. Gould stated that proposed new housing programs include a residential records and inspection program to count existing in-law units, economic development strategy, site consolidation to create more viable sites, secondary dwelling units, small-lot development standards revision, transit corridor opportunities, and HEART (Housing Endowment and Regional Trust). She outlined State law compliance issues and requirements, and reviewed the comments provided by the Planning Commission during its recent review.

Discussion ensued.

Councilmember Feierbach noted that the Planning Commission had considerable discussion of this document. She inquired whether the Commission can make changes to the document once it is returned by the State. She also inquired regarding the conditional use permit (CUP) process. She expressed concern about loosening regulations.

Ms. Gould responded that housing programs are the most important component, and the City cannot completely rewrite the Housing document once it is submitted to the State. The City Council can direct any additional review by the Planning Commission. She clarified that the Commission concurred with the proposed housing programs. She noted that the recommendation to consider revising the CUP process is not binding. This item does not need to be included in the Housing Element if there is no concurrence.

Councilmember Lieberman expressed his desire to have more time to review the recommended housing programs. Ms. Gould suggested that Council be comfortable with the document before submitting it to the State.

Discussion ensued regarding procedures for submittal of the document.

Councilmember Feierbach expressed her desire that the entire Planning Commission review individual Commission comments.

Mayor Braunstein noted that the Commission had issues regarding the tone of the document. He concurred that the City Council should spend more time reviewing the recommended programs.

Community Development Director de Melo noted that the schedule for General Plan Update matters could be adjusted to provide additional review of the Housing Element.

Councilmember Wozniak commented regarding the population of those aging in place. She expressed the need to take into account the fact that not all residents of the senior facilities located in Belmont are from Belmont.

**Lenore Griffin**, Belmont Chamber of Commerce, expressed her support for the update of the Housing Element. She is concerned about Notre Dame de Namur University's need for new housing, and questioned how the City could assist.

Mayor Braunstein stated that he watched the Planning Commission's discussion regarding this, and he noted there were many thoughtful comments offered by the Commission.

## **REGULAR MEETING**

### **CALL TO ORDER 7:36 P.M.**

## **ROLL CALL**

COUNCILMEMBERS PRESENT: Feierbach, Dickenson, Lieberman Wozniak, Braunstein

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Crist, City Attorney Zafferano, Special Counsel Mandell, Community Development Director de Melo, Interim Public Works Director Borrmann, Finance Director Fil, Police Chief Mattei, Parks and Recreation Director Gervais, Informational Services Director Harnish, Assistant Finance Director Lazzari, City Treasurer Violet, City Clerk Cook.

## **PLEDGE OF ALLEGIANCE**

Led by City Clerk Cook.

## **REPORT FROM CLOSED SESSION**

City Attorney Zafferano stated there are no reportable actions from the Closed Session held earlier.

## **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Mayor Braunstein announced that a special City Council meeting would be held on June 30<sup>th</sup> which will address "green" issues. He also announced an upcoming variety show and ice cream social, hosted by the Parks and Recreation Department. He noted that the City Council nomination period will commence on July 13<sup>th</sup>. He stated that tonight's meeting would be adjourned in memory of Belmont resident Albert Korn, who succumbed to his injuries following a home invasion robbery.

## **AGENDA AMENDMENTS**

Councilmember Wozniak requested the removal of Consent Item 4-B (Written Communication) from the Consent Agenda for separate consideration. City Clerk Cook noted that a member of the public requested the removal of Item 4-E (Ordinance Revising and Increasing the City's Sewer Charges and Adopting a Schedule for the Sewer Charge for separate consideration.

## **ITEMS APPROVED ON CONSENT CALENDAR**

**Approval of** Minutes of Special and Regular Meeting of May 26, 2009

**Approval of** Informational Report on the Rapid Notify Emergency Notification System for Belmont Safe Schools

**Approval of** Annual Report on Taser Deployment by Belmont Police Officers

**Motion to** set a Public Hearing Date of July 28, 2009 to Act on the Proposed Vacation of a Portion of Public Right-of-Way Adjacent to 2935 Alhambra Drive (APN 043-232-080 and 043-232-230)

**Approval of** Resolution 10135 Authorizing a Cost of Living Salary Adjustment for City Clerk

**Approval of** Resolution 10136 Approving Plans and Specifications, Authorizing Advertisements for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount

not to Exceed \$900,000 with a Contingency not to Exceed \$90,000, Authorizing the City Manager to Execute a Contract, for the 2009 Storm Drain Improvement Project, City Contract Number 501, in the Skymont, Plateau, Cipriani, Country Club, Central, Chula Vista and Hallmark Neighborhoods

**Approval of Resolution 10137** Authorizing the City of Belmont to Apply for a Grant for the State of California Statewide Park Development and Community Revitalization Program for the Design and Construction of Davey Glen Park

## **ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION**

### **Written Communication: Received June 12, 2009, Notification of Application of Filing by PG&E: Biennial Cost Allocation Proceeding and Forecast 2010 Electric Procurement Costs and other Project Costs**

Councilmember Wozniak stated that she removed this item to call attention to the request of PG&E for a rate increase.

**ACTION:** On a motion by Councilmember Wozniak, seconded by Councilmember Feierbach, and approved by a show of hands (4-1, Braunstein no) to approve the filing of Written Communication re Application of PG&E for 2010 Electric Procurement Costs.

### **Ordinance Revising and Increasing the City's Sewer Charges and Adopting a Schedule for the Sewer Charge (2nd reading and adoption)**

**Lenore Griffin,** Belmont Chamber of Commerce, requested that all fees for businesses be reviewed and compared with other cities. She noted that the perception is that it costs more to do business in Belmont than in other cities.

**Richard Hughes,** Belmont resident, stated he is against any increase in charges. He commented that the City is always raising prices, and since we're in a recession there is a need to lower prices.

Finance Director Fil outlined the outreach provided to commercial customers. He clarified that in the long-term, the cost will be lower than other cities because Belmont is buying down costs sooner. It also provides a consistent charge over the years.

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Feierbach, Ordinance 1044 Revising and Increasing the City's Sewer Charges and Adopting a Schedule for the Sewer Charge was adopted by a show of hands (4-1, Dickenson no).

## **HEARINGS**

### **Continued Public Hearing to Review Planning Commission Action from February 3, 2009, Public Hearing Regarding Conditional Use Permit and Design Review (T-Mobile), Pursuant to Municipal Code Section 1-11**

Community Development Director de Melo noted that this item was continued from May 9<sup>th</sup> in order to procure a third-party review of the matter. Funds were received to pay for the review in

early June. He outlined the process and noted that time was needed to gather the necessary information and produce the report.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, the Public Hearing was unanimously continued to August 25, 2009 by a show of hands.

***Reconvene Belmont Fire Protection District and Redevelopment Meetings to consider Budget.***

**Public Hearing to Adopt FY 2009-10 Budget**

Finance Director Fil recommended that the City Council adopt the base budget as presented, and adopt any amendments as deemed necessary.

Mayor Braunstein noted that the City Council and the Finance Commission have reviewed and discussed the budget on numerous occasions.

Finance Director Fil noted that the budget process began several months ago. He clarified that the Finance Commission has recommended adoption of the five percent correction strategy, including moving forward with the process for increasing the transient occupancy tax (TOT). The budget is balanced as proposed, but uses fund balances and reserves in order to do so. He indicated that the Master Revenue schedule is proposed for adoption as well, and that the proposed resolution regarding fiscal hardship is a new document. He described some of the proposed State takeaways that could result in fiscal hardship for the City of Belmont.

Mayor Braunstein opened the Public Hearing.

**Lenore Griffin**, Belmont Chamber of Commerce/business owner, stated that businesses cannot keep taking on new taxes.

Discussion ensued regarding transient occupancy taxes.

Councilmember Dickenson stated that many larger cities have TOT rates of 14 or 15 percent, some higher. Finance Director Fil clarified that transients, not businesses, pay the TOT. He noted that the average TOT in San Mateo County is 10 percent, but several cities may be increasing their TOT, so Belmont's proposed increase to 12 percent is consistent.

Councilmember Dickenson commented that most people compare room rates, not TOT rates.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Wozniak, the Public Hearing was unanimously closed by a show of hands.

Councilmember Dickenson commended staff for keeping the City of Belmont fiscally sound during difficult economic times. He noted that the Police Department has suffered budget and program cuts since 2003. This is a quality of life issue, and calls for service increase every year. He does not support any cuts in the department at this time. He recommended earmarking the additional TOT for police services.

Finance Director Fil clarified that the increased revenue from the additional TOT would cover half of the proposed cuts to the Police Department.

Councilmember Lieberman stated that he shares the concerns expressed regarding public safety. He noted that the Chief has been prudent in identifying the cuts to his department that will not compromise safety. He stated that the Council has not discussed the proposed TOT increase. He would like to do outreach to the hotels.

Finance Director Fil clarified that \$1 million in cuts to the budget is needed to prevent using reserves.

Mayor Braunstein noted that no State takeaways are assumed in the proposed Budget. He would like to exercise caution regarding the message of compliance that could be conveyed if takeaways are assumed in the budget.

Finance Director Fil noted that the proposed increase in TOT addresses local recessionary issues, and implementation of the budget correction will not deplete fund reserves. The proposed budget also does not include any assumed revenues from the increase in TOT, and additional cuts from the correction strategy could be restored if the TOT increase is implemented.

Councilmember Wozniak expressed support for the budget as proposed. She is concerned regarding potential additional State takeaways, and she would like additional information regarding what to anticipate. She would like to address Council memberships, and staff travel, training, and dues. She noted that all departments have done a good job in identifying budget cuts.

Councilmember Dickenson stated that public safety is different from other departments. He has reviewed the history of calls for service.

Chief Mattei explained that savings have been realized in the proposed budget by moving the School Resource Officer (SRO) back to patrol, which will alleviate overtime costs. He clarified that he would not recommend any cuts that would place the public in jeopardy. He noted that the SRO is an important position.

Councilmember Feierbach expressed her desire to review the rental fees for the art studios, as nonresidential artists should be paying more than Belmont artists. She recommended that any further costs for improvements to the Manor House be made from what remains of the existing budget. She noted that the monies for the Chamber of Commerce be earmarked for consulting services only.

In response to Councilmember Wozniak's questions regarding the city-sponsored daycare facility, Parks and Recreation Director Gervais clarified that Belmont's rates are lower than others, but the facility is older. There is no priority system for enrollment, but Belmont residents pay less. He clarified that most are Belmont residents, and there is a waiting list.

Discussion ensued regarding the budget correction strategy for the Police Department.

Councilmember Feierbach stated that she is not comfortable with utilizing reserves, but she expressed support for restoring the School Resource Officer position.

Councilmember Dickenson concurred, and recommended not tying the proposed TOT increase to public safety at this time.

Police Chief Mattei noted that the department is anticipating a retirement in the coming months, and he could hold off on filling that position until mid-year, which will provide some savings. He noted that this employee is not currently working, so there would not be a loss of service.

Councilmember Lieberman stated that it is premature to move forward regarding the proposed TOT increase at this time, as the matter needs further discussion.

Discussion ensued regarding the proposed TOT increase.

The Public Hearing was closed.

**ACTION:** A motion was made by Councilmember Lieberman, seconded by Councilmember Wozniak, to approve the resolution Adopting the 2010 City Budget (General Fund)

Assistant Finance Director Lazzari noted that a similar adjustment in the Emmett House project to the one made in the Redevelopment Agency would be made to the City's General Fund budget.

**ACTION:** On the previous motion, Resolution 10138 Adopting the 2010 City Budget was unanimously approved, as amended, by a show of hands.

**ACTION:** A motion was made by Councilmember Wozniak, seconded by Councilmember Dickenson, to approve the resolution Amending the 2010 Budget Correction Plan.

Councilmember Lieberman offered a friendly amendment to the motion to amend the resolution to reduce revenues by the amount projected for the proposed increase in TOT, and to restore the School Resource Officer position. Said amendment was accepted by Councilmembers Wozniak and Dickenson.

**ACTION:** On the original motion, amended as noted, a resolution Amending 2010 Budget Correction Plan was unanimously approved, as amended, by a show of hands.

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Dickenson, and unanimously approved by a show of hands to reconsider the previous action to adopt the Resolution approving the Budget Correction Strategy.

Councilmember Lieberman expressed his desire to remove Attachment B to the resolution, striking the verbiage related to the increase in transient occupancy tax, and to add verbiage to indicate a desire to initiate a process to evaluate the increase in TOT.

Discussion ensued.

Councilmember Dickenson stated that specific direction is needed regarding this matter.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Wozniak, Resolution 10139 Amending 2010 Budget Correction Plan was approved, as previously amended, by a show of hands (4-1, Lieberman no).

**ACTION:** On a motion by Councilmember Wozniak, seconded by Councilmember Dickenson Resolution 10140 Approving the 2010 Appropriations Limit (General Fund) was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Wozniak, seconded by Councilmember Dickenson, Resolution 10141 Approving the 2010 Master Revenue Schedule was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach Resolution 10142 Establishing the Annual Special Tax for Belmont Library was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Wozniak, Resolution 10143 Finding a Severe Fiscal Hardship Will Exist if Additional Local Property Tax Funds are Seized and Additional Unfunded Mandates are Adopted by the State of California was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Wozniak, Resolution 10144 Adopting Financial Policies was unanimously approved by a show of hands.

***Adjourn Belmont Fire Protection District and Redevelopment Meetings.***

**Public Hearing to Consider a Resolution Approving Collection of Basic and Additional Charges by the San Mateo County Flood Control District to Fund the FY 2010 Countywide National Pollutant Discharge Elimination System (NPDES) General Program and Election to have Charges Collected on the Tax Roll**

Interim Public Works Director Borrmann stated that this charge covers costs associated with the County's NPDES program. She noted that last year's fee is being increased by the consumer price index, as permitted. She clarified that this fee and this program has been in place for many years.

Mayor Braunstein opened the Public Hearing.

**Lenore Griffin**, Belmont Chamber of Commerce, noted that this is another fee that is being passed on to property owners. She requested information regarding comparison of this and other similar fees with other cities. She noted that the City needs businesses and should not drive them away with excessive fees.



Finance Director Fil noted that all parcels in San Mateo County pay this fee.

Councilmember Feierbach explained that this is a State-mandated program. She also noted that any increase beyond the consumer price index (CPI) would require a vote of the people.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Wozniak, the Public Hearing was unanimously approved by a show of hands.

Councilmember Wozniak stated that this is a tax that is levied on all properties to pay for a required program. The proposed increase is minor. She stated that C/CAG is looking into fines for illegal dumping.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, Resolution 10145 Approving Collection of Basic and Additional Charges by the San Mateo County Flood Control District to Fund the FY 2010 Countywide National Pollutant Discharge Elimination System (NPDES) General Program and Election to have Charges Collected on the Tax Roll was unanimously approved by a show of hands, said motion to include a report back to City Council if fines for illegal dumping is addressed at a future date.

**Public Hearing to Consider a Resolution Approving the City of Belmont FY 2010 National Pollutant Discharge Elimination System Charges and Election to have Charges Collected on the Tax Roll**

Interim Public Works Director Borrmann stated that this charge funds Belmont's NPDES program. She described the activities of the program. No change to the fee is proposed.

**Mary Morrissey-Parden,** Belmont Chamber of Commerce, recommended that the City find ways to reduce costs for this program.

Finance Director Fil stated that this charge is the same as it has been since 1996, and would require a vote to increase it. He outlined the types of projects that are funded through this fee. He clarified that the revenue from the fee covers only a portion of the total cost of those projects. If the fee were to be eliminated, the General Fund would be impacted. He described some of the existing storm drain issues, and noted that this fee should be increased, but it would be a difficult process to do so.

Councilmember Lieberman noted that the City's General Fund is subsidizing the costs of those projects.

Councilmember Wozniak noted that the Green Advisory Committee has been addressing issues that could positively impact the overall cost of the NPDES program, such as the use of permeable surfaces.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, the Public Hearing was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Lieberman, Resolution 10146 Approving the City of Belmont FY 2010 National Pollutant Discharge Elimination System Charges and Election to have Charges Collected on the Tax Roll was unanimously approved by a show of hands.

**Public Hearing to Consider an Ordinance Establishing a Revised Schedule of Solid Waste Charges**

City Manager Crist described the noticing process that was utilized for this Public Hearing pursuant to Proposition 218 provisions. He clarified that additional costs to Allied Waste have incurred since fees were raised in 2005, which has created a deficit in the balance due to them. Options for payment were previously discussed, and some monies have been used to offset the deficit.

City Clerk Cook reported that 56 protests letters were received. She noted that a majority protest does not exist.

City Manager Crist reviewed examples of rates for various sizes of trash cans. He noted that some cities have higher rates, some have lower rates. He clarified that some costs for street sweeping is included in Belmont's rates which may not be the case for other cities.

Special Counsel Mandell explained the Proposition 218 hearing process and outlined the actions to be taken. He noted that the law is not clear whether or not solid waste charges are subject to Proposition 218, but those procedures were implemented nonetheless. Both an ordinance and a resolution are being presented, due to a timing issue with forwarding the information to the County for the tax rolls. He clarified that the language is the same for both. The resolution would go into effect immediately, and the ordinance will take affect 30 days following the second reading.

**Evan Boyd**, Allied Waste, stated that extra trash that does not fit in the existing can will be picked up, but if this becomes an ongoing problem, additional fees and penalties could occur.

Mayor Braunstein opened the Public Hearing.

**Lenore Griffin**, Belmont Chamber of Commerce/business owner, stated that the proposed increase will have a greater impact on businesses than on residents. She noted the cumulative effect of many fee and tax increases.

**Richard Hughes**, commented regarding the proposed increases to fees and taxes. He noted that it is easy to sit on the dais and vote yes. He commented regarding the level of service provided by Allied, and noted that we are paying more for less service. He recommended decreasing the rates.

Mayor Braunstein noted that all members of the Council will be paying more as well.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, the Public Hearing was unanimously closed by a show of hands.

City Clerk Cook noted that 56 letters of protest were received. She noted that a majority protest does not exist.

Councilmember Feierbach commented that the increase in rates is lower than what was originally proposed.

Councilmember Dickenson stated that he does not support the proposed increase.

**ACTION:** Councilmember Feierbach made a motion, seconded by Councilmember Wozniak, to adopt the resolution establishing a revised schedule of solid waste charges.

Councilmember Wozniak stated that the increase is difficult for all, including Councilmembers. She noted that the Council has discussed this issue at length. Money is owed to Allied, and the franchise is currently being subsidized by the City. She clarified that one way to reduce trash bills is to get a smaller can. She noted that other municipalities are trying to achieve zero waste.

Councilmember Lieberman expressed concerns that if people get smaller cans, revenues will decrease. City Manager Crist responded that if this occurs, the City's subsidy would increase.

**ACTION:** On the previous motion, Resolution 10147 Establishing a Revised Schedule of Solid Waste Charges was approved on a roll call vote (3-2, Dickenson/Lieberman no).

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, an approved by a roll call vote (3-2, Dickenson/Lieberman no) to introduce an ordinance Establishing a Revised Schedule of Solid Waste Charges, to waive further reading, and to set the second reading and adoption for July 14, 2009.

## **OLD BUSINESS**

### **Resolution Approving the Final South Bayside Waste Management Authority Bond Financing Plan and Reaffirming Support for the South Bayside Waste Management Joint Powers Authority (SBWMA) Proposed Bond Issue of up to \$56 Million to Finance Renovation of the San Carlos Recyclery Facility and Acquisition of New Sorting Equipment for the Facility**

City Manager Crist stated that the proceeds of this bond would be used to renovate the recycling facility and to purchase new equipment to accommodate single stream solid waste processing. He clarified that the City Council previously approved the new facility, and the matter before the Council is approval of the financing plan. He noted that bids were \$9 million less than the estimate. He provided details of the bond sale, and noted that the impact of the rate is \$.48 per month per customer. He stated that the Finance Commission has reviewed this issue and has recommended approval.

Councilmember Dickenson noted that this is the wrong time for this project, as the Grand Jury report on the solid waste franchise procurement is still pending.

**Lenore Griffin,** Belmont Chamber of Commerce, concurred that this is the wrong time, and she questioned the need for the facility. She recommended spending money on police services.

Councilmember Feierbach expressed concern regarding single stream. She cannot support this proposal as it is not necessary. She has done research on how other cities handle solid waste.

Councilmember Wozniak stated that she cannot support the remodel of the building. She does not support single stream. She noted that there may be new technology that would affect solid waste disposal and processing.

**Kevin McCarthy, South Bayside Waste Management Authority (SBWMA) General Manager** clarified that solid waste rates would likely increase if the bond issuance is not approved. He noted that the equipment was designed by private firms, not by a public agency.

Councilmember Lieberman expressed his support for the proposed resolution as the most economical option.

Councilmember Wozniak stated that dual stream does not have to be more expensive.

Councilmember Dickenson noted that the building should have been designed by the private sector. He expressed concerns regarding future cost overruns as well as quality of service.

**MEETING EXTENSION:** At this time, being 10:30 P.M., on a motion by Councilmember Dickenson, seconded by Councilmember Lieberman, the meeting was unanimously extended for 30 minutes by a show of hands.

Mr. McCarthy further clarified that Belmont has its own franchise agreement with the new solid waste provider, and is obligated to bring materials to the transfer station as single stream. He noted that if eight members of SBWMA approve the financing plan, it will move forward. If not, the scope of work would be redesigned. He clarified that the facility cannot accommodate both single and dual stream. He noted that, to date, seven Agency members have approved the bond. Three votes are outstanding, two of which are likely to approve.

Councilmember Dickenson stated that the selected equipment requires a tear-down of the building. If the equipment were to be changed, the building would not have to be torn down.

Finance Director Fil stated that if the financing plan is approved, Belmont's franchise agreement could be reconciled to address these issues.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, the resolution approving the proposed financing plan for the SBWMA bond issuance was denied by a show of hands (3-2, Lieberman, Braunstein no).

## **COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS**

### **Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments**

Councilmember Wozniak reported on a recent Peninsula Congestion Relief Alliance meeting she attended. She noted that Belmont's Bike/Pedestrian Bridge was discussed at the C/CAG meeting. The High-Speed Rail is now an official consortium, and Belmont will need to delegate an alternate. Relay for Life will be held at Carlmont High School in July.

Councilmember Lieberman stated that the Joint Powers Authority agreement was discussed at the recent Belmont-San Carlos Fire Board meeting.

Councilmember Dickenson stated he attended the South Bayside Systems Authority meeting as the alternate wherein capital projects were discussed. He noted that the SBSA board is fiscally conservative.

**Motion to Appoint Alternate to the High-Speed Rail (HSR) Consortium**

Council concurred to continue this item to the special meeting on June 30<sup>th</sup>.

**Verbal Report from City Manager**

City Manager Crist announced that the new San Mateo County Library Director recently resigned.

**MATTERS OF COUNCIL INTEREST/CLARIFICATION**

**To consider Priority Calendar modifications to address zoning amendments for parks and Open Space zoning (Feierbach)**

Councilmember Feierbach stated that since the ballot initiative is not going to move forward at this time, she would like to address the zoning issues for parks and open space parcels. She noted that these parcels are located in several different zones, including Planned Development. There is a need to conform.

Community Development Director de Melo noted that the parcels are contained in seven different zones. City Attorney Zafferano stated that if there is concurrence to move forward on this, it would become a priority calendar item.

Council concurred to add this item to the priority calendar list.

**Explore use of Redevelopment Funds to Update or Rejuvenate the Belmont Sports Complex (Lieberman)**

Councilmember Lieberman stated that the Sports Advisory Committee has been working with staff and the Parks and Recreation Commission regarding enhancements to the Sports Complex. Since the Complex is located in the Redevelopment Agency (RDA), questions have arisen regarding the availability of RDA funds for these enhancements, and he would seek a legal opinion regarding those funds.

**MEETING EXTENSION:** At this time, being 11:00 P.M., on a motion by Councilmember Wozniak, seconded by Councilmember Dickenson, the meeting was unanimously extended for 30 minutes by a show of hands.

**Mary Morrissey-Parden**, Belmont Chamber of Commerce, stated that the Chamber desires to participate in this matter. She noted the Sports Complex is an under-utilized site. It could become a destination location, and the fields could be improved. Partnerships are available in the development community.

Parks and Recreation Director Gervais noted that the new bike bridge will impact fields during construction. The Sports Advisory Committee was formed to address conflicts among teams and has brainstormed ideas. The committee discussed the potential to install artificial turf on the north field. He clarified this would be vetted through a public process. The committee's minutes are produced but not published. He added that ideas are just forming.

Councilmember Dickenson expressed concern that the City Council has not discussed this issue, and quotes have already been received. There is a need for a more public process surrounding the Sports Complex.

Councilmember Wozniak stated that the Sports Advisory Committee does not operate through a public process. She noted that the facility belongs to all, not just the sports groups. She recommended taking this issue from the sports committee and vetting it through the Parks and Recreation Commission. RDA funds need to benefit all, and this may not be an appropriate use of those funds.

Councilmember Feierbach stated that State law outlines appropriate uses of RDA funds, and the installation of artificial turf is not an appropriate use. She expressed her desire to keep and improve the fields. She noted that some RDA monies are already earmarked for other uses and there is not enough to go around. There is no blight at the Sports Complex. She does not support any review of this matter.

Councilmember Lieberman noted that improvements at the Sports Complex would provide an opportunity to host tournaments, which could inject money into the local economy. He commented that State law does not allow this site to be sold or exchanged, as it is being used as a park. This proposal could provide a public/private partnership opportunity. If the City is making a contribution, others are likely to donate.

Councilmember Wozniak expressed concerns regarding other budgetary constraints before the Council. She supports a review of this matter by the Economic Development subcommittee. She noted there are other parks to consider. The issue regarding the Sports Advisory Committee's operations needs to be addressed.

Council concurred to refer this matter to the Economic Development Subcommittee.

**ADJOURNMENT** at this time, being 11:25 P.M., in memory of Belmont resident Albert Korn, who succumbed to his injuries following a home invasion robbery.

**Cook**

**Terri**  
**City Clerk**

Meeting Tape Recorded and Videotaped  
Audio Recording 729